

## R E M A R K S

Claims 1-7, 9-12 and 14 are now in this application, and are presented for the Examiner's consideration.

### Election Requirement

It was stated that claim 4 is directed to the non-elected species of Figs. 7 and 8A-8C.

However, although this non-elected species includes shoulder supports 160, it is submitted that the recitation in claim 4 is sufficiently broad so as to encompass and read on the elected species of Figs. 1-6.

Claim 4 recites that the interengagement fitting comprises a pair of corresponding shoulder supports upon which the respective projections abut and are engaged. The dovetail projection 36 (interengagement fitting - see page 11, lines 22-23) of Figs. 1-6 includes a pair of side walls 37 (which can be read as shoulder supports) upon which the respective wedge shaped projections 34 abut and are engaged.

Although the non-elected embodiment of Figs. 7 and 8A-8C requires that wedge shaped projections 134 fit within shoulder supports 160 (page 15, lines 24-25), claim 4 does not require this limitation, and it is submitted that claim 4 is sufficiently broad to read on the elected species of Figs. 1-6.

It is therefore respectfully requested that claim 4 be included in the elected species.

#### Prior Art Rejections

Claims 1, 6, 7 and 14 were rejected 35 U.S.C. §102(b) as being anticipated by U.S. Patent No. 6,553,620 to Guillemet et al.

The present claimed invention is directed to a modular support mounting in which a pair of projections and inter-engagement fittings join the elements together, and in which the projections and/or inter-engagement fittings ALSO provide a support surface for the coil springs. This is clearly specified in the last paragraph of amended claim 1, which recites that at least one of the interengagement fitting and projections define and provide a support surface for one of the coiled ribbon springs. In other words, this language states that a) the interengagement fitting, b) the projections, c) or both the interengagement fitting and the projections, define and provide a support surface for a coiled ribbon spring, which is a structural limitation.

Claim 7 specifically claims the arrangement c) in which both the interengagement fitting and the projections, define and provide a support surface for a coiled ribbon spring.

This aspect is described in the original application at page 12, lines 21 to 25 and at page 4, lines 26 to 30. Thus, this claimed structure provides a dual functionality within the same structure of the projections and/or interconnection fittings to both interconnect and support the coil springs, which simplifies the overall assembly. This is further described and explained in the successful response filed in connection with the corresponding European patent application.

The Examiner's attention is also directed to Fig. 2 which shows this structure. It is clearly seen therein that the springs are supported by the projections and interconnection fittings, rather than being mounted on a boss. In fact, there is no boss on which the springs can be mounted.

Claim 14 further defines the shapes to provide such a support surface for the spring, namely, the pair of projections comprise a pair of wedge shaped cross section projections which are inwardly oppositely directed.

Guillemet et al, while providing a modular system with interengagement fittings and projections 42 and 43, does not disclose or suggest that these interengagement fittings and/or projections additionally define and provide a support surface for the coil springs. In particular, and as clearly shown in Fig. 5 thereof and described in column 4, lines 14 to 17, the coil springs are supported on a central pivot (cylindrical wall 38).

This is clearly very different from supporting the spring about its external periphery on an external support surface and, in particular, utilizing the fittings and/or projections to support the spring.

In the Office Action, at page 3, lines 5-7, it is stated that, with respect to Guillemet et al, "at least one of: the interengagement fitting and projections define and provide a support surface for one of the coiled ribbon springs (Fig. 5)." However, the Examiner is requested to specifically show how interengagement fitting and projections 42, 43 define any support surface for a coiled ribbon spring. In fact, this statement is clearly contrary to Fig. 5 of Guillemet et al, which clearly shows elements 42, 43 spaced away from the coil spring, and Guillemet et al specifically teaches away from this by providing a separate element for supporting the coil spring, namely, central pivot (cylindrical wall 38).

It is therefore respectfully submitted that claim 1, and the claims dependent thereon, are patentably distinguished from Guillemet et al.

If the Examiner is of a contrary view, the Examiner is requested to specifically indicate where common elements in this reference provide this dual function of interconnecting spring support mount elements and also defining support surfaces for the springs.

Accordingly, it is respectfully submitted that the rejection of claims 1, 6, 7 and 14 under 35 U.S.C. §102(b) has been overcome.

Claim 2 was rejected 35 U.S.C. §103(a) as being obvious from Guillemet et al in view of U.S. Patent No. 6,584,644 to Braid et al.

The remarks made above in regard to Guillemet et al are incorporated herein, and are therefore not repeated.

Braid et al fails to disclose separate spring support mounting elements that are connected together. Rather, Braid et al provides a single mounting element for all three springs.

As discussed above, the present invention provides a plurality of spring support mounting elements with interengagement fittings and projections that provide a dual function of a) interconnecting the spring support mounting elements and b) defining support surfaces for the springs.

If the Examiner is of a contrary view, the Examiner is requested to specifically indicate where common elements in this reference provide this dual function of interconnecting spring support mount elements and also defining support surfaces for the springs.

The most that would be provided by the combination of Guillemet et al and Braid et al would be to provide

interengagement fittings and projections 42, 43 of Guillemet et al for connecting together the spring support mounting elements, and then providing additional structural elements of Braid et al for supporting the springs. This would result in two independent and separate structures, which would render the construction more complex.

The present invention provides that the interengagement fittings and projections both interconnect the spring support mounting elements and provide support surfaces for the springs, so that there is no need for any additional structure.

Accordingly, it is respectfully submitted that the rejection of claim 2 under 35 U.S.C. §103(a) has been overcome.

Claim 3 was rejected 35 U.S.C. §103(a) as being obvious from Guillemet et al in view of U.S. Patent No. 5,463,793 to Westfall.

The remarks made above in regard to Guillemet et al are incorporated herein, and are therefore not repeated.

Westfall fails to cure the aforementioned deficiencies of Guillemet et al. Thus, there is no disclosure or even a remote suggestion in Westfall of any interengagement fittings and projections that provide a dual function of a) interconnecting the spring support mounting elements and b) defining support surfaces for the springs.

If the Examiner is of a contrary view, the Examiner is requested to specifically indicate where common elements in this reference provide this dual function of interconnecting spring support mount elements and also defining support surfaces for the springs.

Accordingly, it is respectfully submitted that the rejection of claim 3 under 35 U.S.C. §103(a) has been overcome.

Claims 9-11 were rejected 35 U.S.C. §103(a) as being obvious from Guillemet et al.

The remarks made above in regard to Guillemet et al are incorporated herein, and are therefore not repeated.

Claim 9 has been amended in accordance with the above recitation in claim 1, to recite the dual function, with the additional limitation of at least one of the interengagement fitting and projection defining and providing a support surface for one of the coiled ribbon springs.

As discussed above, Guillemet et al fails to disclose or even remotely suggest that the coiled ribbon spring is mounted on a support surface formed by the at least one of the interengagement fitting and projection. In fact, as discussed above, Guillemet teaches away from this by providing a central pivot (cylindrical wall 38) for supporting the coiled ribbon spring.

Further, it is noted that Guillemet et al does not disclose or suggest the specific method steps of the present claimed invention of claim 9, and in particular, that a first spring support mounting element is located in the window jamb channel with the subsequent elements being laterally slid into the channel and to engage the first element.

In contrast, in Guillemet et al, as described at column 4, lines 37 to 39, the entire spring support assembly is assembled outside of the window jamb channel, and is then inserted as a complete assembly, rather than as individual elements, into the window jamb channel.

Claim 9 specifically recites that the spring support assemblies are separately inserted into the window jamb channel and connected therein.

Moreover, the particular arrangement described in Guillemet et al, is in fact incapable of being installed as specified in the present claimed invention. In Guillemet et al, there is a further connection strip 11 which can only be fitted to join the coil springs together with the overall mounting assembly outside of the window channel, and cannot be fitted once the mounting is fitted to the mounting channel.

It is therefore submitted that the present claimed invention is patentably distinguished from Guillemet et al.



Accordingly, it is respectfully submitted that the rejection of claims 9-11 under 35 U.S.C. §103(a) has been overcome.

Claim 12 was rejected 35 U.S.C. §103(a) as being obvious from Guillemet et al in view of Braid et al.

The remarks made above in regard to Guillemet et al and Braid et al are incorporated herein, and are therefore not repeated.

Accordingly, for the same reasons given above, it is respectfully submitted that the rejection of claim 12 under 35 U.S.C. §103(a) has been overcome.

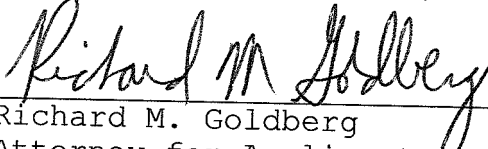
If the Examiner has any comments, questions, objections or recommendations, the Examiner is invited to telephone the undersigned at the telephone number given below for prompt action.

In the event that this Paper is late filed, and the necessary petition for extension of time is not filed concurrently herewith, please consider this as a Petition for the requisite extension of time, and to the extent not tendered by check attached hereto, authorization to charge the extension fee, or any other fee required in connection with this Paper, to Account No. 07-1524.

The Commissioner is authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. 07-1524.

In view of the foregoing amendments and remarks, it is respectfully submitted that Claims 1-7, 9-12 and 14 are allowable, and early and favorable consideration thereof is solicited.

Respectfully submitted,

  
Richard M. Goldberg  
Attorney for Applicants  
Registration No. 28,215

25 East Salem Street  
Suite 419  
Hackensack, New Jersey 07601  
TEL (201) 343-7775  
FAX (201) 488-3884  
e-mail: goldbergpat@earthlink.net